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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,049	07/07/2003	Warren Keith Edwards	PARC-DA2079	9791

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PVF -- PARC
c/o PARK, VAUGHAN & FLEMING LLP
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DAVIS, CA 95618-7759

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

MAIL DATE	DELIVERY MODE
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11/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/616,049	Applicant(s) EDWARDS ET AL.	
	Examiner Shawki S. Ismail	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 27 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment received on August 27, 2007.

Claims 1, 11, 21, and 31 have been amended.

Claims 1-32 are pending.

Continued Examination Under 37 CFR 1.114 1.

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 21, 2005 has been entered.

The New Grounds of Rejection

3. Applicant's amendment and arguments received on August 27, 2007 have been fully considered, however they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC §102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of

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paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-32, are rejected under 35 U.S.C. 102(e) as being anticipated by **Aholainen et al.**, (hereinafter referred to as Aholainen) U.S. Patent No. **7,102,640**.

6. As to claim 1, Aholainen teaches a method that facilitates dynamic delivery of service profiles to a client, comprising:

performing a discovery operation to allow the client to discover new services on a network (col. 14, lines col. 11, lines 18-39, the client device discovers new server devices on the network);

if a new service is discovered for which the client does not possess a service profile, wherein the service profile specifies how to use the new service (col. 7, line 65 – col. 8, line 11, when a new service is discovered the service/device icon is displayed on the screed of the client device);

causing the client to obtain the service profile from the new service (col. 7, line 65 – col. 8, line 11, the service/device icon is displayed on the screed of the client device);

causing the service profile to be installed on the client to enable the client to use the new service (col. 7, line 65 – col. 8, line 11, the service/device icon is displayed on the screed of the client device so as to enable the user to use the service).

wherein the service profile includes a specification that describes how to use the new service, and wherein causing the service profile to be installed on the client involves (col. 7, line 65 – col. 8, line 11, the service/device icon is displayed on the

screed of the client device and serves to describe the service that the respective server device has to offer),

causing code to be generated to implement the specification (col. 8, line 12-23),
and

causing the code to be installed on the client (col. 8, line 12-23).

7. As to claim 2, Aholainen teaches the method of claim 1, wherein causing the client to obtain the service profile involves: causing the client to send a request for the service profile to the new service; and causing the client to receive the service profile from the new service (col. 7, line 65 – col. 8, line 11)

8. As to claim 3, Aholainen teaches the method of claim 1, wherein the service profile includes code, and wherein causing the service profile to be installed on the client involves causing the code to be installed on the client (col. 8, line 12-23).

9. As to claim 4, Aholainen teaches the method of claim 1, wherein the service profile includes a specification that describes how to use the new service; and wherein causing the service profile to be installed on the client involves, causing code to be generated to implement the specification, and causing the code to be installed on the client (col. 7, line 65 – col. 8, line 11 and col. 8, line 12-23).

10. As to claim 5, Aholainen teaches the method of claim 1, wherein the service profile is encoded in a universal form that can be executed by different types of clients (col. 9, lines 10-62).

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11. As to claim 6, Aholainen teaches the method of claim 1, wherein there exist different service profile implementations for different types of clients; and wherein causing the client to obtain the service profile involves, communicating characteristics of the client to the new service, allowing the new service to select a service profile implementation for the client based on the characteristics of the client, and allowing the new service to send the selected service profile implementation to the client (col. 9, lines 10-62).

12. As to claim 7, Aholainen teaches the method of claim 1, wherein causing the client to obtain the service profile from the new service involves executing a dynamic extension profile, which implements a standard protocol that enables the client to acquire any profile the client needs at the time the profile is needed (col. 14, lines 10-22).

13. As to claim 8, Aholainen teaches the method of claim 1, wherein performing the discovery operation involves using the Bluetooth Service Discovery Protocol (SDP); and wherein the client and the new service communicate using the Bluetooth networking standard (col. 14, lines col. 11, lines 18-39).

14. As to claim 9, Aholainen teaches the method of claim 1, wherein the service profile can define a service-specific Application Programming Interface (API) (col. 14, lines col. 11, lines 18-39 and col. 7, line 65 – col. 8, line 11).

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15. As to claim 10, Aholainen teaches the method of claim 1, wherein the service profile implements a domain-specific protocol stack associated with the new service (col. 14, lines col. 11, lines 18-39 and col. 7, line 65 – col. 8, line 11).

16. Claims 11-32 do not teach or further define any limitations above claims 1-10, therefore, they are rejected for similar reasons

17. EXAMINER NOTE: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

18. Applicants' arguments with have been fully considered, however, they are deemed to be moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
November 8, 2007




PHILIP TRAN
PRIMARY EXAMINER